

107TH CONGRESS
1ST SESSION

H. R. 3333

To amend title 4, United States Code, to declare English as the official language of the Government of the United States.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2001

Mr. STUMP (for himself, Mr. ISTOOK, Mr. NORWOOD, Mr. PAUL, Mr. DEAL of Georgia, Mr. BARTLETT of Maryland, Mr. KING, Mr. TANCREDO, Mr. SHOWS, and Mr. GOODE) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 4, United States Code, to declare English as the official language of the Government of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Declaration of Official
5 Language Act of 2001”.

1 **SEC. 2. ENGLISH AS OFFICIAL LANGUAGE.**

2 (a) IN GENERAL.—Title 4, United States Code, is
3 amended by adding at the end the following new chapter:

4 **“CHAPTER 6—LANGUAGE OF THE GOVERNMENT**

“Sec.

“161. Declaration of official language.

“162. Preserving and enhancing the role of the official language.

“163. Duties of citizenship.

“164. Reform of naturalization requirement.

“165. Exceptions.

“166. Preemption.

“167. Construction.

“168. Enforcement.

“169. Prohibition.

5 **“§ 161. Declaration of official language**

6 “English is the official language of the Government
7 of the United States.

8 **“§ 162. Preserving and enhancing the role of the offi-**
9 **cial language**

10 “The Government of the United States shall preserve
11 and enhance the role of English as the official language
12 of the United States of America. Unless specifically stated
13 in applicable law, no person has a right, entitlement, or
14 claim to have the Government of the United States or any
15 of its officials or representatives act, communicate, per-
16 form or provide services, or provide materials in any lan-
17 guage other than English. If exceptions are made, that
18 does not create a legal entitlement to additional services
19 in that language or any language other than English.”.

1 **“§ 163. Duties of citizenship**

2 “All United States citizens should be encouraged to
3 read, write, and speak English to the extent of their phys-
4 ical and mental abilities.

5 **“§ 164. Reform of naturalization requirements**

6 “(a) It has been the long-standing national belief that
7 full citizenship in the United States requires fluency in
8 English. English is the language of opportunity for all im-
9 migrants to take their rightful place in American society.

10 “(b) The Immigration and Naturalization Service
11 shall—

12 “(1) enforce the established English language
13 proficiency standard for all applicants for United
14 States citizenship, and

15 “(2) conduct all naturalization ceremonies en-
16 tirely in English.

17 **“§ 165. Exceptions**

18 “This chapter does not apply to the use of a language
19 other than English for—

20 “(1) religious purposes,

21 “(2) training in foreign languages for inter-
22 national communication,

23 “(3) use of non-English terms of art in govern-
24 ment documents,

25 “(4) law enforcement, or

26 “(5) scientific terminology.

1 **“§ 166. Preemption**

2 “This chapter preempts any Federal law, regulation,
3 policy guidance, agency ruling or determination, or any
4 other Federal action or policy which is inconsistent with
5 this chapter.

6 **“§ 167. Construction**

7 “This Act is not intended to affect programs in
8 schools designed to encourage students to learn foreign
9 languages.

10 **“§ 168. Enforcement**

11 “(a) CAUSE OF ACTION.—Whoever is injured by a
12 violation of this chapter may, in a civil action, obtain ap-
13 propriate relief.

14 “(b) ATTORNEY’S FEES.—In any action under this
15 chapter, the court may allow a prevailing party, other than
16 the United States, a reasonable attorney’s fee as part of
17 costs.

18 **“§ 169. Prohibition**

19 “No agency or department of the United States shall
20 require the government of any State or subdivision there-
21 of, or any person or organization, to communicate or pro-
22 vide materials in any language other than English.”.

23 (b) CLERICAL AMENDMENT.—The table of chapters
24 for title 4, United States Code, is amended by adding at
25 the end the following new item:

“6. Language of the Government 161”.

1 **SEC. 3. REPEAL OF BILINGUAL EDUCATION ACT.**

2 (a) REPEAL OF BILINGUAL EDUCATION ACT.—The
3 Bilingual Education Act (20 U.S.C. 7401 et seq.) is re-
4 pealed.

5 (b) TERMINATION OF OFFICE OF BILINGUAL EDU-
6 CATION AND MINORITY LANGUAGES AFFAIRS.—

7 (1) IN GENERAL.—The Office of Bilingual Edu-
8 cation and Minority Languages Affairs in the De-
9 partment of Education is terminated.

10 (2) REPEAL OF CONFORMING PROVISIONS.—
11 Sections 209, 216, and 413(b)(1)(A) of the Depart-
12 ment of Education Organization Act are repealed.

13 (c) UNOBLIGATED FUNDS.—At the end of the transi-
14 tion period described in subsection (d)(2), the Secretary
15 shall deposit in the general fund of the Treasury any funds
16 that have not been awarded or obligated for grants under
17 the Bilingual Education Act (20 U.S.C. 7401 et seq.).

18 (d) TRANSITIONAL PROVISIONS.—

19 (1) COMPLETION OF PROGRAMS DURING CUR-
20 RENT SCHOOL YEAR.—Subsection (a) shall not apply
21 to any program under the Bilingual Education Act
22 (20 U.S.C. 7401 et seq.) until completion of the
23 most recent school year of the program that com-
24 mences after the date of the enactment of this Act.

25 (2) ASSISTANCE FOR TRANSITION TO SPECIAL
26 ALTERNATIVE INSTRUCTIONAL PROGRAMS.—During

1 the 1-year period beginning on the date of the enact-
2 ment of this Act, the Secretary of Education may
3 assist local educational agencies in the transition of
4 children enrolled in programs assisted under the Bi-
5 lingual Education Act (20 U.S.C 7401 et seq.) to
6 special alternative instructional programs (as such
7 programs are described in section 7501 of the Ele-
8 mentary and Secondary Education Act of 1965 (20
9 U.S.C. 7601) that do not make use of the native
10 language of the student.

11 **SEC. 4. CONSTRUCTION.**

12 Nothing in this Act shall be construed as requiring
13 that a State or local educational agency develop, imple-
14 ment, provide, or maintain a program of bilingual edu-
15 cation.

16 **SEC. 5. RELEASE FROM DECREE.**

17 Any consent decree entered into with a State, locality,
18 or local educational agency, and either the Department of
19 Health, Education, and Welfare, or the Department of
20 Education that requires such State, locality, or local edu-
21 cational agency to develop, implement, provide, or main-
22 tain any form of bilingual education is void.

1 **SEC. 6. EFFECTIVE DATE.**

2 Except as provided in subsections (c) and (d) of sec-
3 tion 3, this Act shall take effect on the date of the enact-
4 ment of this Act.

5 **SEC. 7. REPEAL OF BILINGUAL VOTING REQUIREMENTS.**

6 (a) IN GENERAL.—

7 (1) BILINGUAL ELECTION REQUIREMENTS.—

8 Section 203 of the Voting Rights Act of 1965 (42
9 U.S.C. 1973aa–1a) is repealed.

10 (2) VOTING RIGHTS.—Section 4 of the Voting
11 Rights Act of 1965 (42 U.S.C. 1973b) is amended
12 by striking subsection (f).

13 (b) CONFORMING AMENDMENTS.—

14 (1) REFERENCES TO SECTION 203.—The Voting
15 Rights Act of 1965 (42 U.S.C. 1973 et seq.) is
16 amended—

17 (A) in section 204, by striking “or 203,”;
18 and

19 (B) in the first sentence of section 205, by
20 striking “, 202, or 203” and inserting “or
21 202”.

22 (2) REFERENCES TO SECTION 7.—The Voting
23 Rights Act of 1965 (42 U.S.C. 1973 et seq.) is
24 amended—

1 (A) in sections 2(a), 3(a), 3(b), 3(c), 4(d),
2 5, 6, and 13, by striking “, or in contravention
3 of the guarantees set forth in section 4(f)(2)”;

4 (B) in paragraphs (1)(A) and (3) of sec-
5 tion 4(a), by striking “or (in the case of a State
6 or subdivision seeking a declaratory judgment
7 under the second sentence of this subsection) in
8 contravention of the guarantees of subsection
9 (f)(2)”;

10 (C) in paragraphs (1)(B) and (5) of sec-
11 tion 4(a), by striking “or (in the case of a State
12 or subdivision which sought a declaratory judg-
13 ment under the second sentence of this sub-
14 section) that denials or abridgments of the right
15 to vote in contravention of the guarantees of
16 subsection (f)(2) have occurred anywhere in the
17 territory of such State or subdivision”.

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